



PATENT
Attorney Docket No.: SONY-24500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2161
Alan L. Davidson et al.)) Examiner: Al Hashemi, Sana A.
Serial No.: 09/955,820)) **TRANSMITTAL LETTER**
Filed: September 19, 2001)) 162 North Wolfe Road
For: **SYSTEM AND METHOD FOR**)) Sunnyvale, California 94086
DOCUMENTING COMPOSITE)) (408) 530-9700
DATA PRODUCTS)) Customer No.: 28960
)

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find an Appeal Brief in triplicate for filing with the U.S. Patent and Trademark Office. Also attached is a check in the amount of \$500.00.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: March 15, 2005

By: Jonathan O. Owens
Jonathan O. Owens
Reg. No.: 37,902

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

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HAVERSTOCK & OWENS LLP.

Date: 3/15/05 By: John G.



ATTORNEY DOCKET NO.: SONY-24500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2161
Alan L. Davidson et al.) Examiner: Al Hashemi, Sana A.
Serial No.: 09/955,820)
Filed: September 19, 2001) **APPEAL BRIEF**
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DATA PRODUCTS) (408) 530-9700
) Customer No.: 28960

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Sir:

In furtherance of the Applicant's Notice of Appeal filed on January 19, 2005, this Appeal Brief is submitted herewith in triplicate. This Appeal Brief is submitted in support of the Applicant's Notice of Appeal, and further pursuant to the final rejection mailed on November 19, 2004, in which Claims 1-33 were rejected. The Applicant submits this Appeal Brief to the Board of Patent Appeals and Interferences in compliance with the requirements of 37 C.F.R. § 41.37, as stated in *Rules of Practice Before the Board of Patent Appeals and Interferences (Final Rule)*, 69 Fed. Reg. 49959 (August 12, 2004). The Applicant contends that the rejections of Claims 1-33 in this proceeding are in error and are overcome by this appeal.

03/21/2005 HAL111 00000013 09955820

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CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

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HAVERSTOCK & OWENS LLP.

I. REAL PARTY IN INTEREST

As the assignee of the entire right, title, and interest in the above-captioned patent application, the real party in interest in this appeal, is:

Sony Corporation, a Japanese Corporation
6-7-35 Kitashinagawa, Shinagawa
Tokyo, 141
Japan

Sony Electronics Inc., a corporation of the State of Delaware
1 Sony Drive
Park Ridge, NJ 07656-8003

per the assignment document filed on February 28, 2002.

II. RELATED APPEALS AND INTERFERENCES

The Applicant is not aware of any other appeals or interferences related to the present application.

III. STATUS OF THE CLAIMS

Claims 1-33 are pending in this case and stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,574,898 to Leblang et al. (hereinafter, Leblang, a copy of which is attached as Exhibit A). Within this Appeal Brief, Claims 1-33 are appealed.

IV. STATUS OF THE AMENDMENTS FILED AFTER FINAL REJECTION

No amendments have been filed after the Office Action mailed on November 19, 2004.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention disclosed in the present application number 09/955,820 is directed to a system and method for documenting composite data products. The system and method taught in the present application creates a state file to be associated with the process of the composite product to be created. The composite product has at least a portion of another media product integrated therein. As taught within the present specification,

[c]omposite media products are composed of at least a portion of at least one other media product which is utilized/included therein. Each of the composite media products may be generated by different users who may act as producers of media products and/or consumers of media products . . . [Present Specification, page 2, lines 24-28]

The state file specifies a selected version of at least one selected data product to be used in creating the composite product. The state file is used to access the selected version of the selected product from the database. The composite product is created by including therein at least a portion of the selected version of the selected product. The system and method of the present invention also generates a state history file associated with the version of the composite product. The state history file indicates that at least a portion of the selected version of the selected product is included within the version of the composite product.

The elements of Claim 1, directed to one embodiment of the present invention, are described in the Specification at page 11, line 21 through page 13, line 28, and the accompanying Figures 3 and 4. The process described there comprises creating a state file to be associated with a version of a composite product to be created (step 104), using said state file to access said selected version of said composite product (step 106), creating said version of said composite product by including therein at least a portion of said selected version of said selected product (step 108), and generating a state history file associated with said version of said composite product (step 136).

The elements of Claim 14, directed to one embodiment of the present invention, are described in the Specification at page 11, line 21 through page 13, line 28, and the accompanying Figures 3 and 4. The process described there comprises providing a user interface enabling a user to indicate a selected version of at least one selected data product to be used by a user in creating a composite product (page 12, lines 12-17, Figure 1), receiving user input indicating a selected version of at least one selected data product (page 12, lines 20-23), creating a state file

based on said selected version of said selected data product (step 104), using said state file to access said selected version of said selected product from the database (step 106), providing a user interface enabling a user to indicate that said version of said composite product has been created by including therein at least a portion of said selected version of said selected product (page 12, lines 12-17, Figure 1), receiving user input indicating that said version of said composite product has been created (page 12, lines 20-23), and generating a state history file associated with said version of said composite product (step 136).

The elements of Claim 20, directed to one embodiment of the present invention are described in the Specification at page 8, lines 3-25 and the accompanying Figure 1. The system described there comprises means for creating a state file (24), means for using said state file to access said selected version of said selected product from the database (24, 14 and/or 26), means for creating said version of said composite product (22), and means for generating a state history file (24).

The elements of Claim 21, directed to one embodiment of the present invention, are described in the Specification at page 11, line 21 through page 13, line 28, and the accompanying Figures 3 and 4. The process described there comprises creating a state file to be associated with a version of a composite product to be created (step 104), using said state file to access said selected version of said composite product (step 106), creating said version of said composite product by including therein at least a portion of said selected version of said selected product (step 108), and generating a state history file associated with said version of said composite product (step 136).

VI. GROUNDS OF REJECTION AND OTHER MATTERS TO BE REVIEWED ON APPEAL

The following issues are presented in this Appeal Brief for review by the Board of Patent Appeals and Interferences:

1. Whether Claims 1-33 are properly rejected under 35 U.S.C. § 102(b) as being anticipated by Leblang.

VII. ARGUMENT

Grounds for Rejection

Within the Office Action, Claims 1-33 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,574,898 to Leblang *et al.* (“Leblang”).

Outline of Arguments

In the discussion that follows, the Applicant first discusses the teachings of Leblang. The Applicant then analyzes the pending claims and their limitations and explains why Leblang does not teach the claimed invention.

1. Leblang does not teach a state file and a state history file

Leblang teaches a dynamic software version auditor which monitors a process to provide a list of objects that are accessed. Leblang teaches using a configuration auditor which automatically produces configuration records, which provide documentation of software builds. [Leblang, col. 2, lines 24-27] It is taught within Leblang that each configuration record includes a listing of all source files that were used, version of build tools, and all build options that were specified. [Leblang, col. 2, lines 27-30] Leblang further teaches that “[t]he audit record can be stored along with the derived object to be used as *historical information* for the derived object.” [Leblang, col. 6, lines 2-3, Emphasis added] Leblang does not teach using this audit record to create the derived object. Leblang teaches that the audit record can be associated with particular derived object versions and stored along with those versions for future reference. [Leblang, col. 5, lines 63-65] But, Leblang does not teach including at least a portion of the selected version of the selected product to create a composite product. As discussed above, Leblang only teaches that the audit or configuration record is created to provide documentation of software builds, that is then used for historical or comparison purposes. Leblang also does not teach creating a state history file.

2. The claimed invention includes a state file and a state history file

In contrast to the teachings of Leblang, the system and method for documenting composite data products of the present invention creates a **state file** to be associated with the process of the composite product to be created. The composite product has at least a portion of another media product integrated therein. As taught within the present specification,

[c]omposite media products are composed of at least a portion of at least one other media product which is utilized/included therein. Each of the composite media products may be generated by different users who may act as producers of media products and/or consumers of media products . . . [Present Specification, page 2, lines 24-28]

The state file specifies a selected version of at least one selected data product to be used in creating the composite product. The state file is used to access the selected version of the selected product from the database. The composite product is created by including therein at least a portion of the selected version of the selected product. The system and method of the present invention also generates a **state history file** associated with the version of the composite product. The state history file indicates that at least a portion of the selected version of the selected product is included within the version of the composite product.

Leblang does not teach creating both a **state file** and a **state history file**. As discussed above, Leblang does not teach a **state file** specifying a selected version of at least one selected data product to be used in creating the composite product. Leblang only teaches that the audit or configuration record is created to provide documentation of software builds, that is then used for historical or comparison purposes. Leblang also does not teach generating a **state history file** associated with the version of the composite product, which indicates that at least a portion of the selected version of the selected product is included within the version of the composite product. It is taught within the present specification that the system and method is used with composite media products. Leblang teaches using the auditor only with software builds.

3. The claims distinguish over Leblang

The claims are grouped separately below to indicate that they do not stand or fall together.

a. Claims 1-13

The independent Claim 1 is directed to a process of documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said products being a composite product having at least a portion of said data products included therein. The process of Claim 1 comprises creating a state file to be associated with a version of a composite product to be created, said state file specifying a selected version of at least one selected data product to be used in creating said composite product, using said state file to access said selected version of said selected product from the database, creating said version of said composite product by including therein at least a portion of said selected version of said selected product and generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product. As discussed above, Leblang does not teach a state file specifying a selected version of at least one selected data product to be used in creating said composite product. Leblang only teaches that the audit or configuration record is created to provide documentation of software builds, that is then used for historical or comparison purposes. Moreover, Leblang teaches the audit record can be associated with derived object versions and stored along with those versions, but there is nothing to indicate that the audit record can be used to create a composite product. Further, Leblang does not teach generating a state history file associated with the version of the composite product, which indicates that at least a portion of the selected version of the selected product is included within the version of the composite product. For at least these reasons, the independent Claim 1 is allowable over the teachings of Leblang.

Claims 2-13 are all dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Leblang. Accordingly, the dependent Claims 2-13 are all also allowable as being dependent on an allowable base claim.

b. Claims 14-19

The independent Claim 14 is directed to a process of documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said data products being a composite data product having at least a portion of said data products included therein. The process of Claim 14 comprises providing a user interface enabling a user to indicate a selected version of at least one selected data product to be used by a user in creating a composite product, receiving user input indicating a selected version of at least one selected data product, creating a state file based on said selected version of said selected data product, said state file for specifying said selected version of said selected data product, using said state file to access said selected version of said selected product from the database, providing a user interface enabling a user to indicate that said version of said composite product has been created by including therein at least a portion of said selected version of said selected product, receiving user input indicating that said version of said composite product has been created and generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product. As discussed above, Leblang does not teach a state file specifying a selected version of the selected data product and using the state file to access the selected version of the selected product from the database. Leblang only teaches that the audit or configuration record is created to provide documentation of software builds, that is then used for historical or comparison purposes. Moreover, Leblang teaches the audit record can be associated with derived object versions and stored along with those versions, but there is nothing to indicate that the audit record can be used to create a composite product. Further, Leblang does not teach generating a state history file associated with the version of the composite product, which indicates that at least a portion of the selected version of the selected product is included within the version of the composite product. Leblang also does not teach providing a user interface enabling a user to indicate a selected version of at least one selected data product to be used by a user in creating a composite product. For at least these reasons, the independent Claim 14 is allowable over the teachings of Leblang.

Claims 15-19 are all dependent on the independent Claim 14. As discussed above, the independent Claim 14 is allowable over the teachings of Leblang. Accordingly, the dependent Claims 15-19 are all also allowable as being dependent on an allowable base claim.

c. Claim 20

The independent Claim 20 is directed to a system for documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said products being a composite product having at least a portion of at least one of said data products included therein. The system of Claim 20 comprises means for creating a state file to be associated with a version of a composite product to be created, said state file specifying a selected version of at least one selected data product to be used in creating said composite product, means for using said state file to access said selected version of said selected product from the database, means for creating said version of said composite product by including therein at least a portion of said selected version of said selected product and means for generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product. As discussed above, Leblang does not teach means for creating a state file to be associated with a version of a composite product to be created, the state file specifying a selected version of at least one selected data product to be used in creating said composite product. Leblang only teaches that the audit or configuration record is created to provide documentation of software builds, that is then used for historical or comparison purposes. Moreover, Leblang teaches the audit record can be associated with derived object versions and stored along with those versions, but there is nothing to indicate that the audit record can be used to create a composite product. Further, Leblang does not teach means for generating a state history file associated with the version of the composite product, which indicates that at least a portion of the selected version of the selected product is included within the version of the composite product. For at least these reasons, the independent Claim 20 is allowable over the teachings of Leblang.

d. Claims 21-33

The independent Claim 21 is directed to a machine readable storage device having stored therein encoding instructions for executing a process of documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said data products being a composite data product having at least a portion of at least one of said data products included therein. The machine readable storage device of Claim 21 comprises creating a state

file to be associated with a version of a composite product to be created, said state file specifying a selected version of at least one selected data product to be used in creating said composite product, using said state file to access said selected version of said selected product from the database, creating said version of said composite product by including therein at least a portion of said selected version of said selected product and generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product. As discussed above, Leblang does not teach a state file specifying a selected version of at least one selected data product to be used in creating said composite product. Leblang only teaches that the audit or configuration record is created to provide documentation of software builds, that is then used for historical or comparison purposes. Moreover, Leblang teaches the audit record can be associated with derived object versions and stored along with those versions, but there is nothing to indicate that the audit record can be used to create a composite product. Further, Leblang does not teach generating a state history file associated with the version of the composite product, which indicates that at least a portion of the selected version of the selected product is included within the version of the composite product. For at least these reasons, the independent Claim 21 is allowable over the teachings of Leblang.

Claims 22-33 are all dependent on the independent Claim 21. As discussed above, the independent Claim 21 is allowable over the teachings of Leblang. Accordingly, the dependent Claims 22-33 are all also allowable as being dependent on an allowable base claim.

4. CONCLUSION

For the above reasons, it is respectfully submitted that the Claims 1-33 are allowable over the cited prior art references. Therefore, a favorable indication is respectfully requested.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: March 15, 2005

By: Jonathan O. Owens
Jonathan O. Owens
Reg. No.: 37,902
Attorneys for Applicants

VIII. CLAIMS APPENDIX

This appendix includes a list of the claims under appeal.

1. A process of documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said products being a composite product having at least a portion of said data products included therein, the process comprising the steps of:

creating a state file to be associated with a version of a composite product to be created, said state file specifying a selected version of at least one selected data product to be used in creating said composite product;

using said state file to access said selected version of said selected product from the database;

creating said version of said composite product by including therein at least a portion of said selected version of said selected product; and

generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product.

2. A process as recited in claim 1 further comprising the steps of:

assigning a product name to said composite product;

storing said version of said composite product in the database; and

storing said state history file in the database.

3. A process as recited in claim 1 further comprising the step of assigning a version value to said version of said composite product.

4. A process as recited in claim 1 wherein each of said products has publishing information associated therewith, said publishing information indicating a currently published one of said versions of said product.

5. A process as recited in claim 4 wherein said publishing information further indicates previously published versions of said product.

6. A process as recited in claim 4 wherein said state file identifies said selected version of said selected product by specifying the currently published version of said selected product, said process further comprising the step of:

if said state file specifies the currently published version of said selected product, determining which version of said selected product is currently published.

7. A process as recited in claim 1 wherein said state file identifies said selected version of said selected product by specifying a latest version of said selected product, said process further comprising the step of:

if said state file specifies the latest version of said selected product, determining which version of said selected product is the latest version.

8. A process as recited in claim 4 further comprising the step of prohibiting users from modifying said currently published version.

9. A process as recited in claim 2 wherein said state file may be modified by a user.

10. A process as recited in claim 2 further comprising the step of prohibiting users from modifying said state history file.

11. A process as recited in claim 1 wherein said state history file is a first state history file, wherein said selected data product is a composite data product having at least a portion of a version of a data product included therein, and wherein said selected product has a second state history file associated therewith, said second state history file indicating said version of said data product included within said selected data product, said first and second state history files providing an indication of the contents of said version of said composite product.

12. A process as recited in claim 1 wherein a first one of said products comprises a first representation of a particular version of a particular one of said products, and a second one of said products comprises a second representation of said particular version of said particular product.

13. A process as recited in claim 12 wherein said state history file associated with said version of said composite product further indicates a type of representation embodying said selected version of said selected product that is included within said associated composite product.
14. A process of documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said data products being a composite data product having at least a portion of said data products included therein, the process comprising the steps:
 - providing a user interface enabling a user to indicate a selected version of at least one selected data product to be used by a user in creating a composite product;
 - receiving user input indicating a selected version of at least one selected data product;
 - creating a state file based on said selected version of said selected data product, said state file for specifying said selected version of said selected data product;
 - using said state file to access said selected version of said selected product from the database;
 - providing a user interface enabling a user to indicate that said version of said composite product has been created by including therein at least a portion of said selected version of said selected product;
 - receiving user input indicating that said version of said composite product has been created; and
 - generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product.
15. A process as recited in claim 14 further comprising the steps of:
 - providing a user interface enabling the user to specify a product name associated with said composite product;
 - storing said version of said composite product in the database; and
 - storing said state history file in the database.
16. A process as recited in claim 14 further comprising the step of assigning a version value to said version of said composite product.

17. A process as recited in claim 14 wherein each of said products has publishing information associated therewith, said publishing information indicating a currently published one of said versions of said product.
18. A process as recited in claim 17 wherein said step of providing a user interface enabling a user to indicate a selected version of at least one selected data product includes enabling said user to identify said selected version of said selected product by specifying the currently published version of said selected product, said process further comprising the step of:
 - if said state file specifies the currently published version of said selected product, determining which version of said selected product is currently published.
19. A process as recited in claim 14 wherein said step of providing a user interface enabling a user to indicate a selected version of at least one selected data product includes enabling said user to identify said selected version of said selected product by specifying a latest version of said selected product, said process further comprising the step of:
 - if said state file specifies the latest version of said selected product, determining which version of said selected product is the latest version.
20. A system for documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said products being a composite product having at least a portion of at least one of said data products included therein, said system comprising:
 - means for creating a state file to be associated with a version of a composite product to be created, said state file specifying a selected version of at least one selected data product to be used in creating said composite product;
 - means for using said state file to access said selected version of said selected product from the database;
 - means for creating said version of said composite product by including therein at least a portion of said selected version of said selected product; and
 - means for generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product.

21. A machine readable storage device having stored therein encoding instructions for executing a process of documenting the contents of at least one version of a plurality of data products stored in a database, at least one of said data products being a composite data product having at least a portion of at least one of said data products included therein, comprising the steps of:

creating a state file to be associated with a version of a composite product to be created, said state file specifying a selected version of at least one selected data product to be used in creating said composite product;

using said state file to access said selected version of said selected product from the database;

creating said version of said composite product by including therein at least a portion of said selected version of said selected product; and

generating a state history file associated with said version of said composite product, said state history file indicating that at least a portion of said selected version of said selected product is included within said version of said composite product.

22. A machine readable storage device as recited in claim 21 further comprising the steps of:
assigning a product name to said composite product;
storing said version of said composite product in the database; and
storing said state history file in the database.

23. A machine readable storage device as recited in claim 21 further comprising the step of assigning a version value to said version of said composite product.

24. A machine readable storage device as recited in claim 21 wherein each of said products has publishing information associated therewith, said publishing information indicating a currently published one of said versions of said product.

25. A machine readable storage device as recited in claim 21 wherein said publishing information further indicates previously published versions of said product.

26. A machine readable storage device as recited in claim 25 wherein said state file identifies said selected version of said selected product by specifying the currently published version of said selected product, said process further comprising the step of:

if said state file specifies the currently published version of said selected product, determining which version of said selected product is currently published.

27. A machine readable storage device as recited in claim 21 wherein said state file identifies said selected version of said selected product by specifying a latest version of said selected product, said process further comprising the step of:

if said state file specifies the latest version of said selected product, determining which version of said selected product is the latest version.

28. A machine readable storage device as recited in claim 21 further comprising the step of prohibiting users from modifying said currently published version.

29. A machine readable storage device as recited in claim 21 wherein said state file may be modified by a user.

30. A machine readable storage device as recited in claim 22 further comprising the step of prohibiting users from modifying said state history file.

31. A machine readable storage device as recited in claim 21 wherein said state history file is a first state history file, wherein said selected data product is a composite data product having at least a portion of a version of a data product included therein, and wherein said selected product has a second state history file associated therewith, said second state history file indicating said version of said data product included within said selected data product, said first and second state history files providing an indication of the contents of said version of said composite product.

32. A machine readable storage device as recited in claim 21 wherein a first one of said products comprises a first representation of a particular version of a particular one of said products, and a second one of said products comprises a second representation of said particular version of said particular product.

33. A machine readable storage device as recited in claim 32 wherein said state history file associated with said version of said composite product further indicates a type of representation embodying said selected version of said selected product included within said associated composite product.

PATENT
Attorney Docket No.: SONY-24500

IX. EXHIBITS

The following documents, which are part of the record, are attached for convenience:

Exhibit A: U.S. Patent Serial No. 5,574,898 to Leblang *et al.*